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11 WINTEK ELECTRO-OPTICS CORPORATION  
12 AND WINTEK CORPORATION

13  
14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION

17  
18 TPK TOUCH SOLUTIONS, INC.,

19 Plaintiff(s),

20 v.

21 WINTEK ELECTRO-OPTICS CORPORATION  
22 and WINTEK CORPORATION,

23 Defendants.

24 CASE NO. 3:13-cv-02218-VC

25 STIPULATION AND [PROPOSED]  
26 ORDER STAYING DISCOVERY AND  
27 ENLARGING THE CLOSE OF FACT  
28 DISCOVERY DEADLINE

Hon. Vince Chhabria

1       The parties, through their counsel below hereby stipulate to stay discovery, enlarge the close  
2 of discovery deadline, and conduct settlement talks with the good faith belief that there is a  
3 reasonable possibility they can resolve this case.

4       The facts supporting this stipulation are as follows:

5       1.       The current close of fact discovery deadline is September 30, 2014. The parties  
6 propose that this close of discovery deadline be enlarged;

7       2.       During the previous few months, the parties have met to discuss the possible  
8 resolution of this matter.

9       3.       The parties believe that further settlement meetings between themselves will likely be  
10 productive and have agreed to schedule such meetings shortly.

11       4.       The parties further believe that the currently-scheduled discovery will interfere with  
12 their efforts to resolve the case and therefore wish to stay discovery pending their settlement talks.

13       5.       The parties propose that all discovery is to be stayed, including any scheduled  
14 document production, inspections, written discovery responses and depositions, to and including  
15 October 8, 2014.

16       6.       If a Request for Dismissal is not filed by October 8, 2014, the Close of Fact  
17 Discovery will be enlarged to November 30, 2014.

18       7.       The parties have not earlier requested time modifications in this case.

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1       8.     The changes proposed in this stipulation will not significantly affect the schedule in  
2 this case. For example, a case management conference is currently scheduled for October 21, 2014,  
3 which the parties expect to attend unless a request for dismissal is filed beforehand.

4       9.     Concurrently filed with this Stipulation and Proposed Order is a Stipulation removing  
5 from this Court's calendar Plaintiff's Civil L.R. 6-3 Motion to Enlarge the Fact Discovery Deadline  
6 (Docket No. 83) and Defendants' Opposition thereto (Docket No. 84).

7                   Respectfully submitted,

8                   IT IS SO STIPULATED:

9                   Dated: September 3, 2014

10                  Dated: September 3, 2014

11                  FINNEGAN, HENDERSON, FARABOW,  
12                  GARRETT & DUNNER, LLP

13                  WHITE & CASE, LLP

14                  By:            */s/ Scott R. Mosko*

15                  By:            */s/ Bijal V. Vakil*

16                  Scott R. Mosko

17                  Bijal V. Vakil

18                  Attorneys for Defendants  
19                  WINTEK ELECTRO-OPTICS CORPORATION  
20                  AND WINTEK CORPORATION

21                  Attorneys for Plaintiff TPK TOUCH  
22                  SOLUTIONS, INC.

23                  I, Scott R. Mosko declare that Bijal V. Vakil authorized me to add his e-signature to this  
24                  pleading and to file it.

25                  */s/ Scott R. Mosko*

26                  Scott R. Mosko

1                   **[PROPOSED] ORDER**

2                   Upon good cause shown, IT IS HEREBY ORDERED that

3                   1.         The September 30, 2014 close of fact discovery deadline shall be enlarged to  
4 November 30, 2014;

5                   2.         Pending settlement discussions, all discovery in this case shall be stayed to and  
6 including October 8, 2014.

7                   IT IS SO ORDERED

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9                   Dated: September 5, 2014



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10                   Vince Chhabria  
11                   United States District Judge